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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/012,223	10/30/2001	Deborah Weissman-Berman	10234.6806	5345
44538	7590	02/22/2006	EXAMINER	
DANIEL S. POLLEY, P.A. 1215 EAST BROWARD BOULEVARD FORT LAUDERDALE, FL 33301				LIN, KELVIN Y
ART UNIT		PAPER NUMBER		
2142				

DATE MAILED: 02/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/012,223	WEISSMAN-BERMAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Kelvin Lin	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 19 December 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-11 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-11 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## Detailed Action

### Responds to Arguments

1. The Applicant's argument with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.
2. In response to applicant's argument that **nothing** is placed between the client's device and the server with Applicant's invention. The transmission is directly sent from the client's device to the server.

Examiner respectfully disagrees. In the Applicant's specification, page 5 line 20-28, the applicant clearly indicates that a system server integrated with a host system, WIDE™ together with WIDE feather may be defined as a middleware solution for integrating enterprise handheld resources.

Furthermore, Himmel's intercepting (not interception - as applicant argued) agent at **(resides in) a web server directly connecting to client device via wireless communication** functions as a module in the server directly communicates with client (Himmel, Fig. 3, component agent & device), provides an interface and services parsing scheme that bridges communication between client devices and server (Himmel, col. 2, l.36-40, col. 4, l.42-54).

3. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., Nothing is placed between the client's device and the server with Application's invention) are not recited in the rejected claim(s). Although the claims are interpreted in

light of the specification, limitations from the specification are not read into the claims.

See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

## **Response to Amended Claims**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-11 are rejected under 35 U.S.C 103(a) as being unpatentable over Himmel (US Pat. 6167441) in view of Hughes et al., (US PG Pub. 2002/0013826).
2. Regarding claim 1, Himmel teaches a method for providing relatively faster Data processing for higher speed, wireless Internet communications between a mobile device and web server (Himmel, Fig. 3, col.3, l. 10-15, col. 4, l.3-7), said method comprising the steps of:

- a. Receiving by a wireless mobile device from a wireless transmission of a remote server a discrete equation or data matrix input page optimized for long-distance wireless transmission (Himmel, fig. 6, elements 251-263);
- b. displaying the input page transmitted from a remote server on a screen of a wireless mobile device (Himmel, col. 7, l.27-28);

Although Himmel discloses the input pages between client and server. Himmel does not indicate the responsive to information displayed in the input page.

However, Hughes teaches:

- c. inputting data responsive to information displayed from the Equation or Data Matrix input page (Hughes, fig.6E, element 140, and 142 are showing the price and grand total corresponds to the responsive to information display from the input page);

It would have been obvious to one ordinary skilled in the art at the time of invention by incorporating Himmel's customization of Web Pages with Hughes' user input to the page, for example, provides the purchasable information and total prices to the user between the client and server.

The motivation would be that the combination of Himmel's and Hughes' structure by implementing Himmel's customized web pages with Hughes' presences of input page, provides user the

capability to submit customer request and display with the result of the calculation. Therefore, with the Hughes feature it will enhance Himmel customized page display on mobile device and the communication between client and server (Hughes, [0043], [0044]).

- d. wirelessly transmitting the inputted data entered on the input page from the wireless mobile device directly to the remote server for processing of the transmitted data at the remote server;(Hughes, Fig. 3, col.6, l.30-31, col.7, l.31-32, in Fig.3 the component device 101 PDA connect to web server wirelessly);
  - e. receiving by the wireless mobile device from a wireless transmission of the remote server a discrete output page generated by the remote server based on the inputted data entered on the input page; (Hughes, [0027]); and
  - f. displaying the discrete output page on the screen of the wireless mobile device based on the processing of the transmitted input data by the remote server(Hughes, Fig. 6D, and 6E).
3. Regarding claim 2, Hughes further discloses the method for providing relatively faster throughput of claim 1 wherein processing of the transmitted data at the remote server comprises the steps of running the inputted data through one or more equation pages stored within a database of the remote server and creating

an output file of the result which is directly transmitted by the remote server to the wireless mobile device; wherein each of said one or more equation pages having discrete input and output pages (Hughes, [0042]).

4. Regarding claim 3, Himmel further discloses the method for providing relatively faster throughput of claim 1 further comprising the step of formatting the output page to fit the screen of the wireless mobile device (Himmel, col. 7, l.35-36).
5. Regarding claim 4, Himmel further discloses the method for providing relatively faster throughput of claim 1 further comprising the step of generating HTML code for the output page prior to step (d) (Himmel, col. 7, l.5-16).
6. Regarding claim 5, Hughes further discloses the method for providing relatively faster throughput of claim 2 wherein said output file further including additional text and /or photos (Hughes, fig. 6B).
7. Regarding claims 6, and 8-9 have similar limitations as claims 1, and 3-4. Therefore, claims 6, and 8-9 are rejected for the same reasons set forth in the rejection of claims 1, and 3-4.
8. Regarding claim 7 has similar limitations as claim 2. Therefore, claim 7 is rejected for the same reasons set forth in the rejection of claim 2.
9. Regarding claims 10, and 11 have similar limitations as claims 1-4. Therefore, claims 10, and 11 are rejected for the same reasons set forth in the rejection of claims 1-4.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898. The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KYL  
2/16/2006



ANDREW CALDWELL  
SUPERVISORY PATENT EXAMINER